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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,400	12/12/2003	Shuji Ono	3562-0132P	9114

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EXAMINER
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KUCAB, JAMIE R

ART UNIT	PAPER NUMBER
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3609

NOTIFICATION DATE	DELIVERY MODE
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06/15/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

## Office Action Summary

Application No.

10/733,400

Applicant(s)

ONO, SHUJI

Examiner

Jamie Kucab

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/12/03
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to the following communications: Non-provisional application filed December 12, 2003.

2. Claims 1-11 are pending in the case. Claims 1 and 8 are independent.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 8, 10, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Houvener et al. (6,070,141).

Regarding claim 8, Houvener et al. disclose an authentication system, comprising:

a plurality of articles (col. 11 lines 45-48) for authentication carried by a right person and used to certify the right person; and

an authentication apparatus (point of identification terminal 1 and database server 16) for performing a authentication process, wherein

said each article for authentication holds different authentication information (the account number of col. 5 line 45 and the user identification number of col. 10 lines 28-31),

said authentication apparatus includes a personal authentication unit (16) for receiving the plurality of authentication information held by

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said plurality of articles for authentication and certifying the personal himself using the received plurality of authentication information (col. 10 lines 56-62).

Regarding claim 10, Houvener et al. further disclose that one of said articles for authentication includes an authentication key generating unit (col. 10 lines 29-33) for receiving said authentication information held by that article for authentication from the other articles for authentication, and generating an authentication key (the user identification number of col. 10 lines 28-31) for the personal authentication based upon the received authentication information and the authentication information held by that article for authentication in advance,

said personal authentication unit of said authentication apparatus receives said authentication key from said article for authentication that has generated said authentication key, and certifies the right person using said authentication key (col. 10 lines 56-62).

Regarding claim 11, Houvener et al. further disclose that said article for authentication generates a decoding key (the PIN of col. 10 lines 28-31) for decoding an encoded information using said authentication key (135),

said personal authentication unit performs a decoding process using said decoding key (130)

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Houvener et al. (6,070,141) in view of Forslund (6,250,597).

Regarding claims 1 and 9, Houvener et al. disclose an authentication apparatus for performing a personal authentication process, comprising:

an authentication information receiving unit (1) for receiving an authentication information (col. 11 lines 57-58 and col. 11 lines 65-66) held by each of a plurality of articles (col. 11 lines 45-48) for authentication from each of the plurality of articles for authentication carried by a right person; and

a personal authentication unit (16) for performing the personal authentication process using the plurality of authentication information received by said authentication information receiving unit.

However, Houvener et al. fail to explicitly disclose that at least one of the articles for authentication communicates with the authentication information receiving unit by radio. Forslund et al. teach articles for authentication (smart card 25) that communicates with an authentication information receiving unit (mobile phone 14) by radio (radio link 13). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the articles of authentication and authentication information receiving unit of Houvener et al. to include the radio communication capability of Forslund et al. in order to allow authentication without physical contact

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between the articles of authentication and authentication information receiving unit (col. 4 lines 63-65).

Regarding claim 2, Houvener et al. disclose the authentication apparatus further comprising an authentication information holding unit (19) for previously holding weight coefficients (215 and col. 11 lines 38-39) showing weights of the authentication information in response to each of the plurality of authentication information (250), said personal authentication unit acquires the weight coefficient corresponding to the received authentication information from said authentication information holding unit (245), and certifies the right person when a sum of the acquired weight coefficients is greater than a predetermined reference value (col. 7 lines 11-14).

Regarding claim 3, Houvener et al. further disclose that said personal authentication unit decides differently said reference value according to an object of the personal authentication (col. 7 lines 20-24).

Regarding claim 4, Houvener et al. further disclose that said personal authentication unit certifies the right person when the value of the received authentication information is more than the predetermined reference number (col. 7 lines 11-14 and col. 8 lines 49-51).

Regarding claim 5, Houvener et al. further disclose that said personal authentication unit decides said reference number according to an object of the personal authentication (col. 7 lines 20-24).

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Regarding claim 6, Houvener et al. further disclose that one of the plurality of articles for authentication holds an identification information identifying the right person as said authentication information (col. 9. lines 36-39).

Regarding claim 7, Houvener et al. further disclose that the plurality of articles for authentication includes a main article (col. 9 lines 62-64) and a plurality of assistant articles (col. 9 lines 62-64), said plurality of assistant articles holds the same authentication information, said personal authentication unit certifies the right person when receiving said authentication information from said main article and said authentication information from any one of said assistant articles (col. 9 lines 62-64).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Nakajima et al. (2002/0108062) and Fujii (6,832,721).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Kucab whose telephone number is 571-270-3025. The examiner can normally be reached on Monday-Friday 8:00am-5:30pm EST, alt Fridays off.

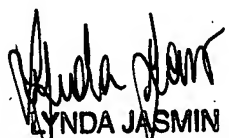
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynda Jasmin can be reached on 571-270-3033. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jamie Kucab  
Examiner  
Art Unit 3609

JK

 6/11/07  
LYNDA JASMIN  
SUPERVISORY PATENT EXAMINER